

1                               BEFORE THE  
2                               ILLINOIS COMMERCE COMMISSION

3       IN THE MATTER OF:                               )  
4       TONY GLENN   )  
5       - vs -   ) 02-0576  
6       PEOPLES GAS LIGHT AND COKE                       )  
7       COMPANY   )  
8       Complaint as to billing charges                )  
9       in Chicago, Illinois.                            )

10                               Chicago, Illinois  
11                               June 11, 2003

12                               Met, pursuant to notice.

13       BEFORE:

14               Mr. John Riley, Administrative Law Judge.

15       APPEARANCES:

16               MR. TONY GLENN  
17               11127 South Homewood  
18               Chicago, IL 60643  
19               pro se;

20               MR. PETER BRIGIDA  
21               130 East Randolph Drive  
22               Chicago, IL 60601  
                 for the respondent.

19       SULLIVAN REPORTING COMPANY, by  
20       MICHAEL R. URBANSKI, C.S.R.,  
21       License No. 084-003270

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

I N D E X

Witnesses:      Direct Cross      Re-      Re-      By  
   direct cross Examiner

E X H I B I T S  
APPLICANT'S      For Identification                      In Evidence

1           JUDGE RILEY: Pursuant to the direction of the  
2           Illinois Commerce Commission, I now call Docket  
3           02-0576, this a complaint by Tony Glenn versus  
4           Peoples Gas Light and Coke Company as to billing  
5           charges in Chicago, Illinois.

6                     Mr. Glenn, you're appearing pro se?

7           MR. TONY GLENN: Yes.

8           JUDGE RILEY: Would you enter an appearance  
9           giving your name and address, please.

10          MR. TONY GLENN: Yes. Name Tony Glenn, 11127  
11          South Homewood, Chicago, Illinois, 60643.

12          JUDGE RILEY: Thank you.

13                     For Peoples.

14          MR. BRIGIDA: Peter Brigida on behalf of the  
15          Peoples Gas Light and Coke Company, 130 East  
16          Randolph Drive, Chicago, Illinois, 60601.

17          JUDGE RILEY: Thank you.

18                     Gentlemen, some weeks ago, approximately  
19          a month ago, I sent out a notice of  
20          Administrative Law Judge's ruling that was  
21          prompted by what I consider to be just more  
22          bickering, and it was an attempt to stop the

1       bickering and to get you to cooperate with each  
2       other.

3               I don't know if it had any effect at  
4       all.

5               What can you advise me?

6               Where are we in this thing? Is the  
7       information being exchanged?

8               Mr. Glenn, let me start with you.

9               What have you found out?

10              Have you been able to unearth any  
11     information establishing your whereabouts at the  
12     time in question?

13              MR. TONY GLENN: Yesterday, I actually --  
14     here's a copy for you, Peter.

15              I had a chance to answer those questions  
16     that you had directed, requested, and I had  
17     received some of that information at the last  
18     minute which was yesterday; and I was hoping  
19     today was the hearing, and I was able to put some  
20     of that information together to bring to answer  
21     some of those questions that you had me, you  
22     know --

1 JUDGE RILEY: Okay. Because I said in my ALJ  
2 ruling I directed the parties to respond as well  
3 as they could to specific questions, having  
4 stricken others and --

5 MR. TONY GLENN: Right.

6 JUDGE RILEY: Mr. Brigida, where does Peoples  
7 stand on this thing now?

8 What have you --

9 MR. BRIGIDA: Well, we haven't provided  
10 anything yet.

11 JUDGE RILEY: I'm sorry?

12 MR. BRIGIDA: We haven't provided anything  
13 yet.

14 JUDGE RILEY: You're still --

15 MR. BRIGIDA: We're --

16 JUDGE RILEY: -- working on it or --

17 MR. BRIGIDA: I'm still waiting for Mr. Glenn  
18 to give me some revised discovery requests as  
19 stated in your order.

20 MR. TONY GLENN: He also requested that you  
21 send me the information at the same time I sent  
22 you.

1           JUDGE RILEY:  Enough is enough.  Here's the  
2   bickering.

3           MR. BRIGIDA:  I will provide what you have  
4   asked for here.

5           MR. TONY GLENN:  I have given you mine.

6           MR. BRIGIDA:  What I prefer to do is provide  
7   everything at once.

8                   And if I'm going to get revised  
9   requests, then I'd like to send out all discovery  
10   responses at once; but if he's not going to get  
11   that to me, then I'll just respond to what you  
12   have asked me to respond to here.

13          MR. TONY GLENN:  What are you going to request  
14   more time for -- for to be able to provide that  
15   information for me?

16          MR. BRIGIDA:  No, I'll provide what's  
17   requested here by the 20th.

18                   I'm not objecting to that.  Likewise you  
19   need to provide me with responses.

20          MR. TONY GLENN:  I did.

21                   And, you know, I came today prepared to  
22   show and answer any of the stuff that I'm

1       supposed to bring in reference to those last  
2       questions that he asked.

3           JUDGE RILEY:   Mr. Glenn, this was what I was  
4       looking for is right in front of me.

5           On April 28, 2003, I issued a notice of  
6       continuance of hearing and notice of  
7       Administrative Law Judge's ruling.

8           Among other things it says:

9                        "Notice is also given to the  
10       complainant" -- excuse me, strike  
11       that.

12                      "Notice is also given that  
13       the complainant, Tony Glenn, is  
14       directed -- right up front it says --  
15       to submit to respondent a revised  
16       request for documents.  Nos. 1  
17       through 4 specifying by document name  
18       or detailed description what  
19       documents he wishes respondent to  
20       produce."

21           Did you provide that to Mr. Bridiga?

22       MR. TONY GLENN:  Yes, I did.

1 JUDGE RILEY: Mr. Brigida, did you receive --

2 MR. BRIGIDA: I have never received it.

3 MR. TONY GLENN: That was the last time we  
4 even talked about it. You said to him that I had  
5 made the revision -- that was at the data request  
6 form that I originally gave you.

7 MR. BRIGIDA: He's provided two versions,  
8 Judge, but the second version had the same flaws  
9 as the first version. That's what we spoke  
10 about.

11 MR. TONY GLENN: There were changes in the  
12 second reversion -- the second version that I  
13 gave you.

14 Might not have been what you wanted but  
15 it was a request that I had changes strictly  
16 saying what I needed.

17 MR. BRIGIDA: Judge, I can respond to what  
18 he's given me, but my responses to those  
19 questions are going to have objections, the same  
20 objections I noted the last time.

21 My understanding was that he was going  
22 to file a revised request.

1           MR. TONY GLENN:   And I did.

2           MR. BRIGIDA:   He filed a revised request that

3           he had the same flaws.

4           MR. TONY GLENN:   No, it didn't.   I can show

5           you right here.   I changed two of the sentences

6           that was in there.

7                   He specifically said, Tony, make sure

8           changes to what you are asking for.

9                   And I did that, Peter.   It's not the

10          same exact copy.

11          JUDGE RILEY:   You have the two copies, the two

12          different?

13          MR. BRIGIDA:   I have the two different copies,

14          yes.

15          JUDGE RILEY:   Let me see what you have

16          submitted the first time and what was the second

17          time.   I remember the first time.

18                   The first submission was -- we had

19          corrected it on the record.

20          MR. TONY GLENN:   Correct.   There were like one

21          or two items on there that you said specifically,

22          Tony --

1           MR. BRIGIDA: This is what I have as his first  
2 version dated March 18th.

3                   This is what I have as his second  
4 version dated March 31st.

5                   Requests 1 through 4 appear to be  
6 identical.

7           MR. TONY GLENN: I don't have the 31st in  
8 front of me. I just have the March 18th one.  
9 But I did make changes to some of the wording in  
10 the second version.

11           JUDGE RILEY: What I'm saying is that on  
12 the -- what the ALJ's ruling requires is to  
13 submit to respondent a revised request for  
14 documents and he's got a clear heading here says  
15 request for documents, Nos. 1 through 4.

16                   So it would not be Interrogatory 1 and  
17 2. It's a request for documents 1, 2, 3 and 4.

18           MR. BRIGIDA: I understand, and that's what I  
19 objected to to begin with, and those are  
20 identical in those two different versions.

21           JUDGE RILEY: Well, let me take a look at Nos.  
22 3 and 4 here. I already noted there were some

1 differences. Because he changed the January 1990  
2 to January 1992.

3 MR. BRIGIDA: Those are interrogatories, I  
4 believe.

5 JUDGE RILEY: No, no. The interrogatories are  
6 No. 1 and 2 here. I'm reading off the document  
7 request.

8 The request for documents down here,  
9 Nos. 3 and 4.

10 MR. BRIGIDA: He just changed the dates then.

11 JUDGE RILEY: Which is the first one?

12 MR. BRIGIDA: This is the second one.

13 JUDGE RILEY: And the second one he brought it  
14 to January 1990 from January 1992, and there  
15 doesn't appear to be any change in number.

16 MR. BRIGIDA: That's fine. But the basis of  
17 my objection when we went over this on the record  
18 was he said any and all, and I objected to that  
19 as broad and -- overly broad and vague.

20 And that -- he was going to revise that  
21 to list specific documents that --

22 JUDGE RILEY: Mr. Glenn, he's absolutely right

1       because I said specifying by document name or  
2       detailed description what documents he wishes  
3       respondent to produce.

4               What I wanted you to do was -- I mean I  
5       have said this repeatedly. We're trying to  
6       narrow this down.

7               What is it that you're looking for?

8       MR. TONY GLENN: I'm looking for something  
9       that ties Tony Glenn to these addresses that he  
10      is allegedly -- and the gas company alleging that  
11      I lived there.

12              There must be some kind of bill or  
13      something that you can show me, you know, you  
14      knocked on my door and say, hey, this is the  
15      money you owe. You haven't showed me anything.

16              Show me something that can tie me to  
17      living at these two addresses meaning that you  
18      had to send bills out, you had to get payments  
19      from me if I lived there. You had to get these  
20      kind of things, Peter.

21       MR. BRIGIDA: Judge, I'm willing to provide  
22      the documents; but again, it has to be specific

1       with what he wants.

2               You know, I can't respond to everything

3       because that will basically include --

4       MR. TONY GLENN: Even to this factor, Judge,

5       or anybody who particularly was living at that

6       address at that particular time, if I wasn't

7       living there, you claim I'm living there, you got

8       to have evidence of somebody living there at the

9       same time.

10              That was -- that would be proof that

11       that was not me at that address.

12              These are the things I asked about.

13       MR. BRIGIDA: Judge, again, I think the

14       objection is valid for the same basis it was

15       previously.

16              If he wants to specify which documents

17       or types of documents he wants, that's fine.

18       MR. TONY GLENN: Bills. It says in there

19       bills, Peter.

20       MR. BRIGIDA: It says --

21       MR. TONY GLENN: Payments.

22       MR. BRIGIDA: Any and all.

1           MR. TONY GLENN:   Payments received, lease  
2           requirements, anything that alleges a person  
3           would have to do in order to acquire services  
4           from the gas company.

5           JUDGE RILEY:   Unfortunately all the request  
6           says is written agreements or lease agreements,  
7           for both Nos. 3 and 4.

8                   I understand the -- I understand the  
9           objection.

10          MR. TONY GLENN:   But anything, Judge.

11          JUDGE RILEY:   See, this is the problem.

12          MR. TONY GLENN:   If they got anything that  
13          shows that you got my signature on something, you  
14          got my payment history on something, you received  
15          checks from me or something.   Something.

16                   And I don't see why that's so hard,  
17          Judge.

18          JUDGE RILEY:   One of the other things I want  
19          to note for the record -- let's correct this  
20          right here -- is in your request for documents,  
21          Document Request No. 1 and 2, both state require  
22          the respondent to provide all documents

1 including, and it says but limited to, and I  
2 think that should be but not limited to.

3 MR. TONY GLENN: Okay.

4 JUDGE RILEY: Let's go off the record for a  
5 second.

6 (Whereupon, a discussion was  
7 had off the record.)

8 JUDGE RILEY: Gentlemen, I thought that I had  
9 sent out a very clear notice of Administrative  
10 Law Judge's ruling as to what you were supposed  
11 to do and it's -- again, it's just a continuous  
12 impasse that is to no one's benefit.

13 Mr. Glenn, I urge you, Peoples has  
14 stated for the record that they will comply with  
15 a data request as long as it's clear to them what  
16 they're supposed to produce.

17 I urge you in the strongest possible  
18 terms to please submit to them a data request --

19 MR. TONY GLENN: I will.

20 JUDGE RILEY: -- with as much detail as  
21 possible so that we can get this thing moving  
22 forward again.

1           MR. TONY GLENN:   Okay.

2           JUDGE RILEY:   And in which case Peoples -- and  
3   you will comply with their requests as well.

4           MR. TONY GLENN:   Yeah.   You know, one thing  
5   I'm not --

6           JUDGE RILEY:   This is the snag, and I  
7   understand what they're saying is that for their  
8   own protection they have to have a clear request.  
9               And use the terms that we talked about.

10          MR. TONY GLENN:   Okay.   I'll do that, Judge.

11          JUDGE RILEY:   It's not limited to those terms;  
12   but if there's something you can identify  
13   specifically as a lease agreement, say lease  
14   agreement.

15          MR. TONY GLENN:   Okay.

16          JUDGE RILEY:   If it's a contract, say  
17   contract.

18               If it's an apartment lease, say  
19   apartment lease.

20          MR. TONY GLENN:   If it's a billing --

21          JUDGE RILEY:   If it's a bill for services use  
22   the term bill or bill for services.

1           MR. TONY GLENN: All right.

2           JUDGE RILEY: It's that kind of specificity I  
3           can't emphasize enough.

4                     Now, here we are again, June 11, I  
5           have -- I know I have asked this question  
6           repeatedly.

7                     How soon do you think that you can get  
8           this detailed request to Mr. Bridiga?

9           MR. TONY GLENN: In a day or two. I'll have  
10          it to his office by Friday.

11          JUDGE RILEY: By the end of the week with the  
12          specified information?

13          MR. TONY GLENN: Yes.

14          JUDGE RILEY: As we have discussed.

15                     Again, it's not limited to what we have  
16          just discussed.

17          MR. TONY GLENN: Okay.

18          JUDGE RILEY: It's anything else that you can  
19          specify.

20          MR. TONY GLENN: Okay.

21          JUDGE RILEY: Counsel, after -- do you have --  
22          well, 30 days, two weeks?

1           MR. BRIGIDA: I understand I have --

2           JUDGE RILEY: You have to look at it before

3           you --

4           MR. BRIGIDA: I have to look at it.

5                    I will try to get it done as soon as

6           possible.

7                    My goal would be to get it done within

8           two weeks. I don't want to drag out this matter

9           any longer than I have to also, you know, but

10          there may be some documents that are in our

11          archives that may take a little bit longer to

12          get.

13          JUDGE RILEY: What I want to do is this, let's

14          go to the end of the month and we'll do the next

15          one as a telephonic status.

16          MR. TONY GLENN: Okay.

17          JUDGE RILEY: So I'm not going to require --

18          MR. TONY GLENN: 31st?

19          JUDGE RILEY: The 30th. That's Monday the

20          30th, we'll do another status to find out where

21          we are.

22          MR. TONY GLENN: Also, Judge, today I brought

1 all my documentation.

2 What I'm not going to do is fax this  
3 stuff to Peter as a letter I restated, but  
4 everything that you wanted to see I have.

5 JUDGE RILEY: All right.

6 MR. BRIGIDA: If you don't want to fax that to  
7 me, you can provide me copies of it.

8 MR. TONY GLENN: Oh, no, I don't want to leave  
9 any information in your hand at all.

10 I'm willing to bring it to this table.  
11 The Judge can look at it. That's what I thought  
12 was going to happen today.

13 MR. BRIGIDA: Judge, it's not adequate.

14 JUDGE RILEY: No, no, Mr. Glenn, I think you  
15 misunderstand the procedure here.

16 This is what we call discovery.

17 MR. TONY GLENN: Right.

18 JUDGE RILEY: And the parties exchange  
19 information with each other outside of the  
20 hearing process.

21 MR. TONY GLENN: But he's asking for bank  
22 information from 1989 --

1 JUDGE RILEY: Well --

2 MR. TONY GLENN: -- to 2000. I don't have

3 that stuff.

4 What I have is what -- current of the

5 last couple years since I have been back in the

6 country.

7 But I'm not going to release my personal

8 information, my tax returns and anything like

9 that to him.

10 JUDGE RILEY: Mr. Glenn, you have to cooperate

11 with him if he's going to cooperate with you.

12 If you're going to insist upon his

13 records, you have to produce your records.

14 No party can have an advantage over the

15 other.

16 MR. TONY GLENN: It's not an advantage. I'm

17 simply saying is --

18 JUDGE RILEY: It is an advantage.

19 MR. TONY GLENN: Well, Judge, you know, this

20 is all my personal information. I don't know

21 this guy from anybody. This man can get my stuff

22 in his possession of hands. Anything can happen

1 to it.

2 JUDGE RILEY: No, counsel -- Mr. Glenn, you're  
3 not -- I wouldn't have no concerns about that at  
4 all.

5 MR. TONY GLENN: Well, I certainly do.

6 JUDGE RILEY: No.

7 MR. TONY GLENN: These days and times, Judge,  
8 things -- anything can happen.

9 I'm not going to give all my banking  
10 information and all this other kind of  
11 information over to Peter.

12 I'm more than willing to -- I think it's  
13 reasonable and if I have to ask counsel about  
14 this, answer about this, but I was going to bring  
15 my documentation, he can spend his time here and  
16 he can look at this stuff and be done.

17 JUDGE RILEY: No, that's not the way the  
18 process works.

19 And I think that if you're going to  
20 require Peoples Gas to produce certain records --

21 MR. TONY GLENN: I'm provided --

22 JUDGE RILEY: -- then you have to produce the

1 records that he has asked for.

2 Now we have -- I have issued --

3 MR. TONY GLENN: Yes.

4 JUDGE RILEY: -- a ruling specifying

5 compliance with certain data requests, and I

6 expect that to be obeyed.

7 MR. TONY GLENN: It's so personal and it's so

8 central.

9 JUDGE RILEY: I know that, but there is no

10 basis for not trusting opposing counsel. I can

11 tell you that right now.

12 MR. TONY GLENN: Judge, right now they're

13 trying to accuse me of something they can't even

14 prove. And you ask me to trust them?

15 JUDGE RILEY: No, counsel, that's not the

16 situation here as I read it at all.

17 Mr. Glenn, if you're going to pursue

18 this matter, you are going to have to cooperate.

19 MR. TONY GLENN: Judge, I have been

20 cooperating overly bearingly and spending so much

21 time on this and cooperated.

22 I'm going to -- may have to retain

1       counsel.

2           JUDGE RILEY:  I would strongly suggest that at  
3       this point.

4           MR. TONY GLENN:  Because -- and I'm going to  
5       find out because this is nonsense, and this is a  
6       total waste of my time, probably you guys' time,  
7       too.  And I don't think he's got a thing on me.

8           JUDGE RILEY:  By all means, what I suggest you  
9       do is if you do consult with counsel, have that  
10      individual file an appearance with us as soon as  
11      possible.

12          MR. TONY GLENN:  I got to see.  I got to talk  
13      to somebody first because, you know, I don't  
14      know.  I'm not a lawyer.  I've been trying to do  
15      the best I can in the whole thing and it's just  
16      ridiculous.

17          JUDGE RILEY:  Where we are right now is  
18      Mr. Brigida is going to be expecting the detailed  
19      data request.

20          MR. TONY GLENN:  I will get that by Friday.

21          JUDGE RILEY:  Then we will meet for status  
22      telephonically again on the 30th at 10:00 a.m.

1           MR. BRIGIDA: Couple other points, Judge, on  
2           your ruling. Just minor points of clarification  
3           here.

4           JUDGE RILEY: All right.

5           MR. BRIGIDA: You stated that Mr. Glenn is  
6           deemed to have already complied with Data Request  
7           8 through 10, 12 through 16.

8                     16 was a request for a complete copy of  
9           his passport. What he's provided me was a copy  
10          of one page. I'd like copies of every page of  
11          his passport.

12          MR. TONY GLENN: For what?

13          MR. BRIGIDA: Judge, one of the allegations  
14          he's making is that he was out of the country.

15          MR. TONY GLENN: I got it right -- you want to  
16          see it now, Peter?

17          JUDGE RILEY: Mr. Glenn, I'm going to insist  
18          that you calm down. Now let's --

19          MR. TONY GLENN: Judge, he can take a look at  
20          it now. I have it with me. If that's going to  
21          satisfy him, you can take a look at it.

22          JUDGE RILEY: Could you provide him with a

1       copy of it now?

2           MR. TONY GLENN:  No.  I'm not going to give  
3       him a copy of it.

4           JUDGE RILEY:  This is the impasse that we're  
5       at then.

6           MR. TONY GLENN:  I'm just going to have to  
7       hire an attorney.  That's what I'm going to do.  
8       I'm going to quit fooling around here, and I'm  
9       going to get some real -- this is ridiculous.

10          JUDGE RILEY:  All right.

11          MR. BRIGIDA:  Another point, Judge, I asked  
12       during the time period he was married -- if he  
13       was married during any time period, dates, and  
14       he's just given me years in terms of -- I forget  
15       what dates, '85 to '91.  I'd like more specific  
16       dates.

17          MR. TONY GLENN:  For what?  You said from when  
18       I was married?

19          MR. BRIGIDA:  Yes.

20          MR. TONY GLENN:  '85 to '91.  What you got  
21       there?

22          MR. BRIGIDA:  Judge, I'd like specific dates

1       and not only goes to that but I just briefly  
2       looked at some of his other responses and he has  
3       dates in terms of years.

4               I'm entitled to as specific as he can  
5       possibly come up with, if that's month to month,  
6       fine, but years, you know, is just not adequate.

7       JUDGE RILEY:   Mr. Glenn, am I -- is it my  
8       understanding you're not willing to do this?

9       MR. TONY GLENN:   Judge, I am willing to do  
10      this.

11              It's been a year already.   I can't even  
12      believe it's gotten this far.

13              But as it proceeds right now, I'm going  
14      to seek counsel and that's all I can tell you  
15      right now.

16      JUDGE RILEY:   All right.

17      MR. TONY GLENN:   I'm going to look at that  
18      possibility of hearing an attorney to get this  
19      thing squashed and go on with my life.

20              But I will provide him by Friday that  
21      documentation that you requested that I make the  
22      changes to.

1 JUDGE RILEY: All right.

2 MR. TONY GLENN: Are we done or what?

3 JUDGE RILEY: I don't suppose there's anything  
4 more that -- Peoples have anything further.

5 MR. BRIGIDA: I'm sorry, what time did you say  
6 the status was?

7 JUDGE RILEY: 10:00 a.m.

8 MR. BRIGIDA: That was telephonically?

9 JUDGE RILEY: Yep. That will just be to find  
10 out whether or not the information has been  
11 exchanged.

12 MR. BRIGIDA: Okay.

13 JUDGE RILEY: All right then. We're off the  
14 record. Thank you.

15 (Whereupon, further proceedings  
16 in the above-entitled matter  
17 were continued to June 30, 2003,  
18 at 10:00 a.m.)

19

20

21

22